

Chapter Trans 105

LICENSING OF DRIVER SCHOOLS AND
INSTRUCTORS

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Trans 105.01 Application forms for driver school and instructor licenses. (ss. 343.61 and 343.62, Stats.). (1) Information required in the application may include, but is not limited to, the following:

- (a) Name of the applicant.
- (b) Present address of applicant.
- (c) Previous addresses of applicant in the past 5 years.
- (d) Description of applicant and description of facilities.
- (e) Training or experience instructing drivers.
- (f) Character references.
- (g) The names of instructors and a list of driver training cars, if applying for driver school license.
- (h) Any other information that may be deemed relevant to the decision to grant or deny a license.

(2) Application for a driver school license shall be accompanied by a schedule of maximum fees and charges per hour for instruction of students.

(3) Application for a driver school license shall be accompanied by a copy of the contract or agreement which constitutes the complete agreement for instruction of students.

History: Cr. Register, November, 1979, No. 287, eff. 12-1-79.

Trans 105.02 Examination of applicants for instructor's license. (s. 343.63, Stats.). (1) The road test shall be scored in the same manner as are tests given for regular operator's licenses and shall also include an actual demonstration of procedures and techniques used instructing drivers. Tests required by s. 343.63 (1), (2), and (3), Stats., is required of all applicants for original instructor's license and applicants whose instructor's licenses have lapsed for one or more years. The department may also require retesting of currently licensed instructors either as a part of a routine retesting program or when it has reasonable cause to doubt the continued competency of any individual instructor.

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(2) The statement submitted by the physician required by s. 343.63 (4), Stats., shall be on a form supplied by the department.

(3) If the information filed by the physician is such as to indicate the person is not physically fit to teach driving, the department may require the applicant to submit to further medical examination or deny the license.

(4) An authorized departmental representative may visit classroom sessions and ride in driver training cars during instruction for the purpose of evaluating the teacher's preparation, knowledge of the subject matter, and teaching ability, and determining if the approved course is being followed.

History: Cr. Register, November, 1979, No. 287, eff. 12-1-79.

Trans 105.03 Satisfactory driving record for driver instructor applicant or licensee. (1) A person's driving record shall not be considered satisfactory to hold an instructor's license if that person:

(a) Has accumulated more than 6 demerit points under s. 343.32 (2), Stats., during a one-year period, as specified in this paragraph and sub. (2).

1. The one-year period under this paragraph shall be measured from the dates of the violations which resulted in the accumulation of demerit points.

2. Demerit point reduction under s. Trans 101.07 does not apply to the computation of accumulated points under this paragraph.

(b) Has been involved in 2 or more accidents in a one-year period where the accident report indicates that such person may have been causally negligent.

(c) Has had his or her operator's license revoked, suspended or cancelled for a traffic violation other than a parking violation, at any time during the past 4 years.

(2) (a) If an applicant for an instructor's license accumulates more than 6 demerit points in a one-year period as provided in sub. (1) (a) in the year preceding application, the department shall deny the instructor's license until one year elapses from the date of the most recent violation that resulted in the person's accumulation of more than 6 demerit points.

(b) If a licensed instructor accumulates more than 6 demerit points in a one-year period as provided under sub. (1) (a), the department shall suspend the instructor's license for a period of one year. The period of suspension shall be measured from the date that the department receives notice of the most recent conviction that resulted in the person's accumulation of more than 6 demerit points.

History: Cr. Register, November, 1979, No. 287, eff. 12-1-79; am. (1) (c) and (2), Register, October, 1985, No. 358, eff. 11-1-85; renum. (1) (a) and (2) to be (1) (a) (intro) and Trans 105.035 (1) and am., cr. (1) (a) 1. and 2. and (2), Register, September, 1990, No. 417, eff. 10-1-90.

Trans 105.035 Fitness for driver school license. (1) For the purpose of determining the fitness of a person to hold a driver school license under s.

343.64 (4), Stats., the department shall consider all relevant arrests and convictions for the past 5 years, and make such further examinations and checks as it determines are necessary.

(2) For a driver school license applicant, the 5-year period under sub. (1) shall be measured from the date of application. For a person who holds a driver school license, the 5-year period under sub. (1) shall be measured from the date of application.

History: Cr. (2), (1) renum. from Trans 105.03 (2) and am., Register, September, 1990, No. 417, eff. 10-1-90.

Trans 105.04 Loss or surrender of license. (1) Application for a duplicate of a lost or destroyed license shall contain the information set forth in s. Trans 105.01 (1) (a), (b), and (d) and shall be accompanied by a certified statement that the original was lost or destroyed.

(2) If a school terminates active participation in the business of teaching driver training for a fee, the school shall immediately forward such license to the department for cancellation.

(3) If an instructor is no longer employed with a driver school or is changing employment from one school to another, the instructor shall notify the department of that fact and forward his or her license to the department for cancellation.

History: Cr. Register, November, 1979, No. 287, eff. 12-1-79.

Trans 105.05 Driver schools to maintain records. (1) The records required by s. 343.71, Stats., shall be made available for inspection at all reasonable times to an authorized representative of the department.

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